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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DANIEL PLATA AND  
14 JONATHAN PAVON

15 Defendant.

16 Case No. 2:20-cr-00032-JCM-EJY

17 **STIPULATION TO CONTINUE  
DEADLINE FOR SENTENCING  
MEMORANDUM**  
(First Request)

18 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,  
19 Acting United States Attorney, and Jean Ripley, Assistant United States Attorney, counsel for  
the United States of America, and Rene L. Valladares, Federal Public Defender, and Navid  
20 Afshar, Assistant Federal Public Defender, counsel for Daniel Plata, and Theresa A. Ristenpart,  
counsel for Jonathan Pavon, that the Sentencing Memorandum deadline for October 28, 2022,  
21 be continued to Tuesday, November 1, 2022.  
22

23 The Stipulation is entered into for the following reasons:

24 1. Counsel waiting for confirmation on information relevant to sentencing  
memorandum. Counsel will file memorandum as soon as received.  
25

26 2. Defendants are not in custody.

1           3.       The parties agree to the continuance.

2           4.       The additional time requested is not sought for purposes of delay, but merely to  
3 allow counsel sufficient time within which to be able to effectively and thoroughly complete  
4 the memorandum.

5           5.       Additionally, denial of this request for continuance could result in a miscarriage  
6 of justice. The additional time requested by this Stipulation is excludable in computing the time  
7 within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States  
8 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
9 Section 3161(h)(7)(B)(i), (iv).

10          This is the first stipulation to continue.

11          DATED this 31<sup>st</sup> day of October 2022.

12          RENE L. VALLADARES  
13          Federal Public Defender

CHRISTOHER CHIOU  
Acting United States Attorney

14          By /s/ Navid Afshar

15          NAVID AFSHAR  
16          Assistant Federal Public Defender  
Counsel for Daniel Plata

JEAN RIPLEY  
Assistant United States Attorney

17          /s/ Theresa A. Ristenpart

18          By \_\_\_\_\_  
19          THERESA A. RISTENPART  
Counsel for Jonathan Pavon

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DANIEL PLATA and  
JONATHAN PAVON,  
Defendant.

Case No. 2:20-cr-00032-JCM-EJY

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel waiting for confirmation on information relevant to sentencing memorandum. Counsel will file memorandum as soon as received.

2. Defendants are not in custody.

3. The parties agree to the continuance.

4. The additional time requested is not sought for purposes of delay, but merely to allow counsel sufficient time within which to be able to effectively and thoroughly complete the memorandum.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

1                   **CONCLUSIONS OF LAW**

2                   The ends of justice served by granting said continuance outweigh the best interest of the  
3 public and the defendant in a speedy trial, since the failure to grant said continuance would be  
4 likely to result in a miscarriage of justice, would deny the parties sufficient time and the  
5 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into  
6 account the exercise of due diligence.

7                   The continuance sought is excludable under the Speedy Trial Act, Title 18, United  
8 States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United  
9 States Code, § 3161(h)(7)(B)(i), (iv).

10                  **ORDER**

11                  IT IS THEREFORE ORDERED that sentencing memorandum must be electronically  
12 submitted to the Court by the **1st day of November, 2022**.

13                  .  
14                  .  
15                  DATED October 31, 2022.

16                    
17                  \_\_\_\_\_  
18                  UNITED STATES DISTRICT JUDGE